

CELEBRATING 10 YEARS OF GIVING BY FRIENDS OF ST. JUDE—MIAMI

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to recognize the 10th anniversary of the founding of Friends of St. Jude—Miami.

St. Jude Children's Research Hospital, located in Memphis, Tennessee, is a leading institution in the fight against pediatric cancer and other diseases that harm children.

Friends of St. Jude—Miami is made up of young professionals in south Florida, who, like my dear friend Wendy Grant, are dedicated to St. Jude's lifesaving mission and who have continued to help the organization to ensure that no family ever receives a bill for the world-class care their son or daughter requires.

To Wendy and, indeed, all of the members of the Friends of St. Jude in south Florida, thank you for the difference you continue to make in the lives of children across our Nation and across the world.

□ 1230

DESHAUN WATSON, A MAN OF CHARACTER

(Mr. COLLINS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COLLINS of Georgia. Mr. Speaker, last night, as we all watched football, no matter who you rooted for, team sports also still comes down to individuals. Last night, a young man named Deshaun Watson—the favorite son of Gainesville, Georgia, my hometown—showed the character that I have witnessed since he was a young boy, playing with my son in the 7- and 8-year-old little flag football league.

His athletic ability has never been questioned, and last night it was on full display for the world to see. I believe that he is the best college football player in the country. Beyond football playing, he is a better man. He is looking forward to the leadership of his team, to the leadership of his classmates, and the leadership he has shown in his community back in Gainesville is exemplary and will not be forgotten.

Gainesville is proud of its favorite son, Deshaun Watson, and of the national championship that he won last night with his team, Clemson, during the football game. But, as with everything in life, as the game ended, it reminded us that the games are played by men of character. Deshaun Watson is a man of character, and I look forward to watching his career as he goes forward.

CONGRATULATIONS TO UNIVERSITY OF FLORIDA'S MACHINE INTELLIGENCE LABORATORY ENGINEERING TEAM

(Mr. YOHO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YOHO. Mr. Speaker, I rise to recognize and congratulate the other Gainesville—the University of Florida's Machine Intelligence Laboratory Engineering Team.

On December 12, 2016, the University of Florida's Machine Intelligence Laboratory Engineering Team won a world championship and beat 12 teams from five countries at the Maritime RobotX Challenge in Hawaii. This team, which is comprised of UF students, designed a vessel that completed a number of different obstacles, including navigating through buoys and self-parking—all without human intervention.

As a supporter of scientific research, I am proud of the inspiring work being done in Florida's Third Congressional District. The dedication displayed by these students and professors is an outstanding example of the success that comes from hard work. It is the dreams of the students and scientists, like these of today, that will propel them to go on and create the innovations of tomorrow that will make this country great again. I am honored to announce their accomplishments, and I look forward to witnessing their continued success.

As a UF alumnus, I would be remiss not to say, "Go Gators."

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the House Republican Conference, I send to the desk a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 36

Resolved, That the following named Members be, and are hereby, elected to the following standing committees of the House of Representatives:

COMMITTEE ON ARMED SERVICES: Mr. Jones, Mr. Wilson of South Carolina, Mr. LoBiondo, Mr. Bishop of Utah, Mr. Turner, Mr. Rogers of Alabama, Mr. Franks of Arizona, Mr. Shuster, Mr. Conaway, Mr. Lamborn, Mr. Wittman, Mr. Hunter, Mr. Coffman, Mrs. Hartzler, Mr. Austin Scott of Georgia, Mr. Brooks of Alabama, Mr. Cook, Mr. Bridenstine, Mr. Wenstrup, Mr. Byrne, Mr. Graves of Missouri, Ms. Stefanik, Ms. McCally, Mr. Knight, Mr. Russell, Mr. DesJarlais, Mr. Abraham, Mr. Kelly of Mississippi, Mr. Gallagher, Mr. Gaetz, Mr. Bacon, Mr. Banks of Indiana, and Ms. Cheney.

COMMITTEE ON THE BUDGET: Mr. Tom Price of Georgia, Mr. Diaz-Balart, Mr. Cole, Mr. McClintock, Mr. Rokita, Mr. Woodall, Mr. Sanford, Mr. Womack, Mr. Brat, Mr. Grothman, Mr. Palmer, Mr. Westerman, Mr. Renacci, Mr. Johnson of Ohio, Mr. Lewis of Minnesota, Mr. Bergman, Mr. Faso, Mr.

Smucker, Mr. Gaetz, Mr. Arrington, and Mr. Ferguson.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR THE ATTENDANCE OF THE HOUSE AT THE INAUGURAL CEREMONIES OF THE PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

Mr. COLLINS of Georgia. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 37

Resolved, That at 10:30 a.m. on Friday, January 20, 2017, the House shall proceed to the West Front of the Capitol for the purpose of attending the inaugural ceremonies of the President and Vice President of the United States; and that upon the conclusion of the ceremonies the House stands adjourned until noon on Monday, January 23, 2017 for morning-hour debate and 2 p.m. for legislative business.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 5, REGULATORY ACCOUNTABILITY ACT OF 2017, AND PROVIDING FOR CONSIDERATION OF H.R. 79, HELPING ANGELS LEAD OUR STARTUPS ACT

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 33 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 33

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5) to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents, to clarify the nature of judicial review of agency interpretations, to ensure complete analysis of potential impacts on small entities of rules, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the Majority Leader and the Minority Leader or their respective designees. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the

Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 79) to clarify the definition of general solicitation under Federal securities law. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services or their respective designees. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. HULTGREN). The gentleman from Georgia is recognized for 1 hour.

Mr. COLLINS of Georgia. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on H. Res. 33, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I am pleased to bring forward this rule on behalf of the Rules Committee. The rule provides for the consideration of H.R. 5, the Regulatory Accountability Act, and H.R. 79, the Helping Angels Lead Our Startups, or HALOS, Act.

The rule provides for 1 hour of debate for each bill, equally divided between the majority leader and the minority leader and the chairman and the ranking member of the Financial Services Committee, respectively. The rule also provides for a motion to recommit for both pieces of underlying legislation.

Yesterday, the Rules Committee had the opportunity to hear from Congressman TOM MARINO and Congressman HANK JOHNSON, on behalf of the Judiciary Committee, and from Congressman HUIZENGA, on behalf of the Financial Services Committee. We also heard from several Members on both sides of the aisle who testified on their amendments. The Rules Committee made in order both amendments submitted for the HALOS Act and 16 amendments from Members on both sides of the aisle for the Regulatory Accountability Act.

Mr. Speaker, I spoke from this podium last week about the positive, pro-growth agenda we in the majority are advancing. The bills before us today are additional pieces of that puzzle, and they help us to return to common-sense governance that fosters economic success.

H.R. 79, the HALOS Act, was introduced by my friend from Ohio, the chairman of the Small Business Committee, Mr. STEVE CHABOT. Last Congress, very similar legislation passed the House with my support and by an overwhelming bipartisan majority. The HALOS Act ensures that so-called angel investors, who serve as the largest funding source for startups in the United States, are able to effectively hold educational economic development events, like “demo days.” The bill also helps to ensure that startups can connect with angel investors who can serve as funding sources, mentors, or outside directors.

In plain English, the HALOS Act helps to ensure that small, innovative companies and startups have access to the necessary capital. This, in turn, enables these companies to expand and generate jobs that put Americans back to work while fueling our economy as a global hub of innovation.

Mr. Speaker, in order to keep America’s market competitive, we must relieve American job creators and employees from suffocating regulations. We can move toward this by helping government function as our Founders intended. Our Constitution lays out a system of three coequal branches of government, which is meant to fulfill unique roles and to provide checks and balances for one another.

Over time, we have allowed cracks to form in that system, and we have gradually seen executive agencies usurp power from the elected officials of the legislative branch—to the detriment of hardworking Americans and the separation of powers. We, too often, see unelected bureaucrats handing down regulations that have enormous impacts on small businesses, family farmers, individuals, and families. In

an unfortunate irony, these bureaucrats are isolated from the very entities they are trying to regulate.

Congress must stop ceding authority to the executive and reassert the power of the legislative branch to write law. The Regulatory Accountability Act helps us do just that. It helps us to ensure that burdensome rules that handcuff American business with red tape aren’t crushing our economy, our competitiveness, or our future. It also restores common sense to the rule-making process.

H.R. 5, the Regulatory Accountability Act, combines six bills that have previously passed the House. I am a proud cosponsor of this legislation.

I thank Chairman CHABOT, Chairman GOODLATTE, and Chairman MARINO for their thoughtful and diligent work on this legislation. Additionally, Congressman RATCLIFFE and Congressman LUETKEMEYER contributed important provisions to this package.

The bill reforms the process by which Federal agencies analyze and formulate new regulations and guidance documents, clarifies the nature of judicial review of agency interpretation, and calls for more complete analysis of the potential impact of rules on small entities.

H.R. 5 includes the text of the Separation of Powers Act, which amends the Administrative Procedures Act to overturn two doctrines that call for judicial deference to agency interpretations of statutory and regulatory provisions: the Chevron and Auer doctrines.

In plain English, the Separation of Powers Restoration Act prevents Federal bureaucrats from interpreting the legality of their own regulations at the expense of hardworking Americans and the constitutional separation of powers.

Title I of the Regulatory Accountability Act requires agencies, when establishing new rules, to consider the lowest cost option that meets statutory requirements. The bill also provides for more public input in the rule-making process. Title IV of the bill, the Providing Accountability through Transparency Act, requires agencies to publish plain-language summaries of new proposed rules online. These proposals are not farfetched. Instead, they provide more information and a voice to the American people while reining in agencies that have gotten drunk on their rulemaking power.

Mr. Speaker, our current administration issued over 600 major regulations with an economic impact of over \$740 billion. These numbers show the staggering number of rules put forth by the executive branch, but nowhere are the true costs of regulations highlighted better than in the stories that I hear from my constituents. I know other Members hear similar stories, and all across the Nation, we are seeing the toll that overregulation has taken on growth and competitiveness.

Back home in northeast Georgia, Elbert County is known as the granite

capital of the world, but a rule put forth by OSHA that is related to silica levels threatens to jeopardize that industry; and, of course, there is the waters of the United States rule, which could negatively impact everyone from farmers to ranchers to Realtors. The menu labeling rule is yet another example of a misguided regulation that the administration has put forth without impunity. That rule would raise costs for businesses, from restaurants to convenience stores, leading to higher costs for consumers—in actuality, hurting the very ones that it proclaims to help.

This is the irony of many of these regulations. Sadly, they are borne out in the costs to the American people.

Last year, the EPA finalized a rule that established Federal standards for residential wood heaters. In rural districts like mine, many individuals may count on wood heaters to keep their families warm. This EPA rule will raise costs for consumers and undermine families' decisions about what type of heater may work the best for them.

Mr. Speaker, is this really where we want to go, having the Federal Government decide things like this, away from the scrutiny of the elected body? I think not.

The examples from this administration are numerous, but, importantly, this problem of overregulation is not unique to this administration. This is not a Republican or a Democratic problem. This is a balance of power problem; this is a problem between branches not doing what they are supposed to be doing and staying within that.

□ 1245

The Regulatory Accountability Act helps ensure that this administration and future administrations do not ignore Congress by writing law through regulation. It returns transparency to the process. It restores Congress' rightful place as the legislative branch and reins in the unelected fourth branch that regulators have become.

Mr. Speaker, many of the bills in this package have previously passed with bipartisan support. I hope my colleagues can continue to agree that Congress should make the laws and that we should do so in such a way that encourages growth, innovation, and American ingenuity.

Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume. I thank the gentleman from Georgia for the customary 30 minutes.

We will get to the content of the bills in a moment, but there is a procedural issue here that disenfranchises millions of American citizens in this process.

We are in the 115th Congress since the founding of this country. We were just sworn in last week to begin that. There are 56 new Members who just started serving last week that have never served in this body before, and

there were 56 people that served in the last session who are no longer with us. What we are doing here is we are taking bills that those former Representatives worked on and new Representatives have not worked on and advancing them to the floor without going through committee, without going through the regular order.

So, for example, you have two bills, H.R. 5 and H.R. 79. We will talk about them in a moment. These are Committee on Financial Services bills. They should have gone to that committee, and members of that committee, Democratic and Republican, would have had the chance to amend those bills in that committee and mark it up before it comes to the floor. That is the normal process. Both parties are now constituting those committees; we are putting people on them.

I heard you, Mr. Speaker, read just before we began this debate how a number of Members were officially appointed to those committees. That is what we do in our first week or two.

Fifty-six new Members should have a say on these bills. They will get a vote on the floor on these bills, but they were completely excluded from the committee process that wrote these bills. That is wrong, Mr. Speaker, to not allow 56 new Members of this body to be the lawmakers that the people of their districts elected them to do. In fact, it disenfranchises the tens of millions of people collectively that those 56 Members represent. And I hope that, for future legislation, we can move through regular order and allow the new Members, as well as those who are returning, to be part of the lawmaking process.

With regards to these bills, we have largely seen these bills in prior sessions that people who are no longer in this body worked on.

The HALOS Act, I was proud to support last session and I am proud to support again. It addresses a potentially real problem. There is guidance from the SEC that—in our Rules Committee meeting yesterday I questioned the subcommittee chair—largely also addresses those concerns, but it is better to do it in statute and it is better to do it in the broader language that is included in the bill, which is why many Democrats—I hope a majority—support the HALOS Act.

The United States is the leader in innovation in the global economy, and this is a small piece of that. What we are talking about here are demo days where entrepreneurs can pitch their idea. I, personally, have been able to attend a number of those, and it is a question of who can be in the room when that occurs.

Should it only be millionaires who are allowed in that room? Or can it be the next great generation of entrepreneurs? Can it be students? Can it be aspiring entrepreneurs? Can it be community members who want to learn what it means to pitch and how to do it and how ideas are spread, or maybe they are looking for a job?

It doesn't change who can invest in those startup companies. They still have to be qualified investors. By the way, I hope we have the opportunity to work with Republicans on the definition of "qualified investor" because I think it is unfair to restrict investment opportunities to multimillionaires. We need to allow educated and qualified investors of all levels.

Just because somebody is rich doesn't mean that they are a good investor, and just because somebody has not yet earned a lot of money doesn't mean that they can't be trusted to invest \$10,000 or \$50,000 of their own money.

We made progress in the original JOBS Act with the result of crowdfunding investing, but that is only a small piece—almost an insignificant piece. Private placements are the much larger piece of capital formation for venture-stage startups in our country. If there is a way we can have an alternative to the net worth test that allows individuals to, perhaps, take a qualitative test of their knowledge and, therefore, qualify as an investor, they ought to be able to do that, too.

This bill does not do any of that. That is a controversial area. It is one that it will take Democrats and Republicans working together on to help fund tomorrow's great companies and allow opportunity for all people, not just millionaires and billionaires.

What this bill does is it continues to restrict the actual investors to the millionaires. Okay? But it allows other people in the room at least. That is a start. It allows an MBA student who him- or herself wants to, perhaps, come up with their own company to hear 10 or 20 companies pitch so they can assemble their own deck; somebody who might have a great amount of value to give as a mentor who themselves is a veteran of a number of companies. Maybe they are not quite worth a couple of million dollars. Maybe they are worth only—only, right?—\$500,000. Maybe they were a reasonably successful person worth \$500,000, but they have a lot of knowledge to give.

Without the HALOS Act, it would be unclear whether that person would even be allowed in that room. So we want to make sure that mentors, up and coming, young entrepreneurs, and, frankly, up-and-coming entrepreneurs of all ages have access to the knowledge and the learning that can occur in these pitch events.

Congress has a role in making sure we have laws in place that really help build an environment that promotes innovation. When we passed the JOBS Act in 2012 that allowed for crowdfunding, Congress took a step forward. We have room to go there, room to go with private placements.

The HALOS Act is a small step, but it is a good one and a noncontroversial one. It creates a clear path for startups to participate in demo days, sponsored by government entities, nonprofits, angel investment groups, et cetera, and

a clear safe harbor from the SEC with regard to the definition of general solicitation to make it clear that business experts and others can be in the room, while maintaining that only existing accredited investors can actually participate in offerings under Regulation D for the purchases or sale of securities that are mentioned in those demonstrations.

Currently, sponsors of demo days are relying on the 12-year-old, no-action letter by the SEC to make sure that they don't face the consequences of failing to comply. The guidelines outlined by the SEC's no-action letter are actually incorporated into the HALOS Act. So, in many ways, this clarifies and puts in statute something that has been at the whim of the SEC for too long.

The gentleman from Georgia (Mr. COLLINS) and others will join me in talking about the importance of angel investors for early stage capital to create jobs, to allow tomorrow's great entrepreneur who might not have any resources of their own today to raise the resources they need to hire people and succeed.

The Center for Venture Research estimates that U.S. angel investors invested \$24.6 billion in about 71,000 small businesses in every area, every congressional district of our country. Many of those were startups in the early stages of building a company.

Tomorrow's company that employs 10,000 or even 50,000 people is today's garage startup trying to figure out how to get \$50,000 or raise \$100,000 to make their payroll or buy their inventory.

Angel investors focus their investment on local startups and much more so than, for instance, national venture capital firms that tend to be clustered at the coast. It is an important way we can continue to grow the economy in every ZIP code in this country, across the heartland and the middle of the country, not just the coasts where the venture capital firms themselves are situated.

The Colorado-based digital home design firm, Havenly, started by two sisters, utilized demo days as networking opportunities to perfect their pitch to investors, a very common path. After participating in a 500-startup demo day, the pair received nearly \$13 million in investment capital from qualified investors. Now Havenly is a thriving business, employs hundreds of interior designers across the country, and I am proud to say it has a staff of 40 people in their Colorado headquarters. Havenly is a perfect example of how demo days provide opportunities to startups that create real jobs for real people in our country.

The HALOS Act simply gives the same opportunities to other startups that thousands of others have had when getting off the ground.

I believe the HALOS Act is the appropriate approach to regulatory relief. I appreciate the bipartisan nature of the legislation. It is targeted to pro-

vide clarity around a specific potential problem and certainty around what these events can entail.

Now, there is another bill under this rule as well. It is a bad bill. It is not a strong bipartisan bill. It is called H.R. 79. Since we began the 115th Congress here, the Republicans are promoting a deregulation agenda. Often this agenda results in this body, Congress, potentially being buried in having to do inordinate amounts of work to review the executive branch of government.

Now, we all believe in oversight of the executive branch. Believe me, Mr. Speaker, you are going to hear many Democrats speaking up about how important oversight of the executive branch is, particularly for the incoming administration.

We are not the executive branch. Congress delegates authority to agencies, under the laws we write, to fill in gaps and decide how best to implement the law. If we disagree, we can always change or amend the authorizing statute to make more clear the intent of this body.

However, these bills being brought to the floor by the Republicans would either require Congress to spell out exactly what ways to implement a policy in a changing world or give the authority of how to interpret and implement law to the judicial system, neither of which are wise or expedient choices regardless of who occupies the Presidency.

While I certainly will have more sympathy with this approach with President Trump in the White House than President Obama in the White House, I still believe this is the wrong way to go about the separation of powers under our Constitution.

This bill sets out 60 new analytical requirements that agency actions must meet before they can be implemented. In other words, any attempt by agencies to protect the public from toxic substances, make sure our planes and trains are meeting safety regulations, or make sure our food is toxin free would be subject to 60 new bureaucratic hurdles, effectively creating more and more red tape to tie the bureaucracy up rather than make their work quicker and more efficient, which is what Democrats seek to do.

This bill would bury the agency rule-making process under a blizzard of bureaucratic hurdles and documentation requirements, literally burying the executive and administrative branch of government in red tape and paperwork. This bill would hold the regulatory process hostage to the whims of the very corporations and bureaucrats whose rulemaking it is designed to address.

The process that the bills call for have been roundly discredited by so many experts on regulatory policy from the left and the right and consumer advocates as well. The administrative law and regulatory practices section of the American Bar Association stated that these burdens would

reduce transparency, reduce public input, threaten public safety, and, most importantly, not result in any better rules.

This bill is nothing other than a recycled effort that 56 Members of this body have not had a chance to participate in writing through the committee process to slow down the government and get in the way of agency rulemakings that are critical for protecting public health, safety, and our environment.

We are simply failing our constituents that we are elected to serve by spending time on legislation that would deliberately sabotage our own ability for our government to function efficiently. This is a bill that would make government less efficient. That is not what I hear when I am back home from my constituents—Democrat, Republican, Independent. I don't hear: Go to Washington to make government less efficient. My constituents want government to be more efficient.

Finally, this bill is being considered under a structured rule limiting the amendment process. There were over 30 amendments filed. Yet, we are only considering 16 amendments under this very overly restrictive rule. This is particularly onerous because, again, there was no opportunity for the 56 new Members through the committee process to amend this bill.

There was a new Member that appeared before the Rules Committee yesterday. Unfortunately, he was not even allowed to advance his amendment to the floor under this rule.

Another example is an amendment offered by a new Member, Ms. BLUNT ROCHESTER, who filed an amendment that would ensure that LGBT employees are protected from workplace discrimination. It would allow Federal agencies that are tasked with protecting the civil rights of employees to continue to do their work without being hamstrung with unnecessary requirements.

Civil rights protections do not fit neatly into a corporate monetary analysis, and our government has a responsibility to ensure that all Americans are protected from arbitrary or unjust discrimination based on race, gender, sexual orientation, or gender identity.

Given the breadth and scope of this legislation, an open amendment process would have allowed this amendment to be debated if the majority wanted, perhaps even voted down, although I hope the majority would have approved it. It would have produced a more thoughtful piece of legislation. Yet, we are not even allowed to have that debate on the floor of the House, which is why this rule is wrong and why I stand in strong opposition to it.

We should be considering legislation to create permanent, high-paying jobs, investing in infrastructure to grow our communities, fixing our broken immigration system, and streamlining and improving our tax system through tax reform rather than recycling old bills

that 56 Members have not even had the opportunity to put their imprint on.

I urge my colleagues to vote “no” on the rule for those very reasons.

Mr. Speaker, I reserve the balance of my time.

□ 1300

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think there is no better way to start this Congress fresh but with some understanding. It is very clear, and it has become obvious to Members here on the floor, that there is a discussion going on. And, Mr. Speaker, if Members would like to see the difference that is being portrayed here on the floor today, it is very obvious. There is one party that is really concerned about tying the hands of bureaucrats; and there is one party, the majority, that is looking to untie the hands of the American people. I think I will side on the side of the American people and job creators and job promoters, and those who go out every day and earn a living.

We worked on this last Congress, and I will talk about it again here. Let's not start the strongman that Republicans are wanting to do away with all regulations. We do not. We want government to operate in the most efficient manner possible and do what it needs to do, but also get out of the way.

The problem with government, many times the government has overstepped where it needs to be, and it needs to be out of the way to start with.

Also, I would like to at least clear the record and make something understood. At the beginning of the year, we are bringing a rule. We had a full Rules Committee hearing yesterday, and Members were able to offer amendments. Not all amendments were made in order. Sixteen amendments were made in order on both sides of the aisle. I would like to remind Members, Mr. Speaker, as we go back in history, we are promoting discussion here in the Rules Committee and bringing to the floor and allowing Members to talk about amendments and give them the opportunity.

I will just remind Members, Mr. Speaker, in the 111th Congress, which was controlled by my friends on the other side of the aisle, in the very first rule bill they brought, the rules for the House, they put two major bills in the rules package that did not even get a rules hearing, that did not get anything except just pushed to the floor. I think we will stand firm that we are pushing to the floor stuff that Americans care about, and also doing it in a way that Members can participate.

Speaking of that, the American people, especially the good folks of Nebraska, have sent to us a new Member, and I have gotten the chance to know him.

Mr. Speaker, it is a privilege to yield 3 minutes to the gentleman from Ne-

braska (Mr. BACON), and I welcome him to the floor.

Mr. BACON. Mr. Speaker, I rise today in support of the rule and the underlying bill which provides for H.R. 5, the Regulatory Accountability Act of 2017.

I promised my district in eastern Nebraska that I would work my hardest to rein in an out-of-control bureaucracy that is burdening our Nation with over 3,000 new regulations each year. The cumulative cost of all of these regulations passed each year cost approximately \$2 trillion, almost 10 percent of our GDP. That is a tremendous burden, and it largely falls on our small businesses, farmers, and community banks.

I meet often with our local, small business owners. The top concern that I hear, and they are loud and clear, and I hear it over and over, is that regulations and ObamaCare are preventing them from growing, and, in some cases, making it very difficult for them to stay afloat. There is anger that the health of our businesses are not being undermined by competition or new technology, but they are being undermined by their own government, and they are angry about it.

I have promised my district that I will be aware and push back on these regulations and on a bureaucracy that is on steroids. That is what we are doing today by passing H.R. 5 and by passing these rules.

I think one of the Members of the very first Congress and the writer of our Constitution would be proud to see H.R. 5 passed. James Madison thought the separation of powers was vital to the safeguarding of our Republic. In recent years, we have seen that separation of powers undermined by an overzealous bureaucracy that creates laws, then executes those laws, and then acts as their own appeal authority. Madison said the accumulation of powers—legislative, executive, and judiciary—in the same hands is the very definition of tyranny. Today, we move toward the right balance, toward restoring the separation of powers and lifting the burden that has been put on our small businesses and farmers.

I urge support for the rule and the underlying bill.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, when we defeat the previous question, I will offer an amendment to the rule to bring up a bill that would establish a national commission to investigate foreign interference in the 2016 election.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD along with extraneous material immediately prior to vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, we have all been very concerned about the reports from our own intelligence agencies

about foreign interference in the 2016 American elections.

I yield 4 minutes to the gentleman from Maryland (Mr. CUMMINGS) to discuss our proposal, the ranking member of the Committee on Oversight and Government Reform.

Mr. CUMMINGS. Mr. Speaker, I thank the gentleman for yielding.

I rise in strong opposition to this rule so that it can be amended to include consideration of H.R. 356, Protecting Our Democracy Act, which is sponsored by the gentleman from California (Mr. SWALWELL) and yours truly.

Mr. Speaker, we are presently in a struggle for the soul of our democracy. This legislation would create an independent commission to examine Russian attacks on our electoral process. I am pleased that all of my House Democratic colleagues have joined in this bill and that similar legislation has been introduced in the Senate.

I want to be clear about why we are here today. It is not just about the past. It is about the future. The CIA, the FBI, and the NSA have issued a declassified report warning that Russian entities acted under the orders of Vladimir Putin to execute “an influence campaign,” and they say they did this “to undermine public faith in the United States democratic process.” Again, I say: our democracy is under attack.

Our intelligence agencies explain that Moscow's attacks will not end with the attacks they launched in 2016. They warn that Moscow “will apply lessons learned from its campaign aimed at the U.S. Presidential election to future influence efforts in the United States and worldwide. . . .” Democracy under attack.

These Russian attacks on our electoral process were attacks on our Constitution, our people, and they are attacks on our great Nation. Our intelligence agencies are warning that if we do not respond now, the Russians will attack us again.

Mr. Speaker, we must not take our democracy for granted. We must guard this democracy. We must guard the fundamental foundation of that democracy, and that is a vote, and a vote with integrity. We are all Members of the Congress of the United States of America. We have taken an oath to protect and defend our Constitution and our great Nation. That is what this legislation is about. It is not about Donald Trump. It is not about Hillary Clinton. It is not about Republicans, Democrats, or independents. It is not even about 2016. It is about our future, and it is about generations yet unborn. We cannot allow ourselves to be distracted from our solemn duty and our solemn oath. We cannot allow foreign attacks on our electoral process to become normal or inevitable. They are neither.

This legislation attempts to rise above politics. If there was any moment in our history when we should be rising above politics, it is this moment.

This commission is intended to be truly bipartisan, to have an equal number of Democrats and Republicans, to examine how Russia and any other foreign powers interfered with our elections, including hacking Federal and State political parties and disseminating fake news stories intended to warp public opinion.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. I yield an additional 1 minute to the gentleman from Maryland.

Mr. CUMMINGS. Most importantly, this bipartisan and independent commission will make recommendations to try to prevent any foreign power from interfering in our elections again. I sincerely hope Republicans, including the President-elect, who, for the first time ever, will swear his own oath to protect and defend our Constitution, will join us in supporting this independent commission.

I urge all Members to vote “no” on the previous question so this rule can be amended to require consideration of the Protecting Our Democracy Act.

Mr. COLLINS of Georgia. Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), the distinguished ranking member of the Judiciary Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman from Colorado, and I thank my good friend from Georgia. It is important to take note of the value of democracy and the discourse on this floor, and my friendship with the gentleman from Georgia, but absolute disagreement with him on our purposes here.

Yes, regulation should be fair, and it should cede to the administrative process and the administrative laws that dictate how they should be formulated, and that fairness should be their underpinnings. But I think my constituents, in terms of the regulatory scheme, are far more interested in clean water and clean air. They are far more interested in making sure that consumer products that impact toddlers and babies are enforced. They are far more interested in ensuring that there is competition to the FTC, and that there are fair energy laws to the Federal Energy Regulatory Commission.

Having said that, I am disappointed as well that we are moving forward on H.R. 5, which is a bill that went through the Judiciary Committee, and, as my colleague from Colorado said, with 56 new Members, it did not go through regular order. We are recycling the same bad bill again.

I rise today to express concern over the number of amendments that were presented that were good amendments that did not get in. Before I speak to the amendment I am concerned about, first, I want to speak to the previous

question. I support the gentleman from California (Mr. SWALWELL) and the gentleman from Maryland (Mr. CUMMINGS) on a very important statement, and that is in the tragedy and the heinousness of 9/11, we formulated the 9/11 Commission.

Mr. Speaker, there is no more heinousness than a foreign nation interfering with the just and fair voting of every American. There are many who lost their life in the name of one vote, one person. For that reason, I would make the argument that it is imperative that this bill be amended to create the commission that will address the question of foreign intrusion, particularly Russian intrusion and hacking in our election.

I believe this election was skewed, in spite of the peaceful democratic transfer of government, which we will all adhere to, but there is no doubt. This does not compete to 2001 with President Bush in Florida. It does not compete to 2004 with Mr. Kerry. It is beyond any kind of comprehension of what happened in this election, a direct intrusion and skewing of this election. But, more importantly, protecting the systems of election and the voting rights, the preciousness of the voting rights, is crucial to democracy.

This commission, independent of any of the committees that should be working—and I agree, Congress should be working. Senator McCain has already begun working—a Republican—but this commission would be a vital asset. So I am certainly disappointed that the amendment I had that was crucial as relates to cybersecurity to deal with the question of cyber intrusion was not made in order. It would have been appropriate for us to have an amendment that would have spoken directly to the idea of identifying new tactics or techniques that a malicious actor might deploy, or detect and disrupt an ongoing intrusion, in addition to protecting the data that enables cybersecurity firms and other network defenders to identify certain malware that the Russian intelligence services use.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. POLIS. I yield the gentlewoman an additional 30 seconds.

Ms. JACKSON LEE. I thank the gentleman.

This amendment would have been vital to have not only a vigorous discussion on the floor but also to recognize that cybersecurity has now become a potential weapon. I have worked on this issue for a decade as the former chairwoman of the Transportation and Infrastructure Subcommittee. It was under my subcommittee that we began to look at electric grids and began to see the enormous power of the cyber world. My amendment should have been included because we are now faced with what the cyber world used as a weapon can do. I am disappointed that that amendment was not made in order. I am disappointed that H.R. 5 is again before us

without regular order, and would hope that we have the opportunity to vote for and support the previous question to find out what happened and who conspired to alter our elections in 2016.

Mr. Speaker, I rise in strong opposition to the rule and the underlying bill.

I strongly oppose this rule because it makes in order H.R. 5, the Regulatory Accountability Act of 2017, which is a radical measure that could make it impossible to promulgate safety regulations to protect the public.

I oppose this rule because it would effectively shut down the entire U.S. regulatory system, amending in one fell swoop every bedrock existing regulatory statute.

My opposition to H. Res. 33 is amplified by the Rules Committee's decision to decline to make in order the Jackson Lee Amendment, “to provide an exception for regulations that help prevent cyberattacks on election processes or institutions.”

Apparently, House Republicans are still reluctant to debate the subject—undisputed by our Intelligence community—of Russian cyberattacks on American cyber networks and infrastructure.

Key Judgments in the Intelligence Community Assessment's declassified version of a highly classified report entitled, “Assessing Russian Activities and Intentions in Recent U.S. Elections,” have confirmed that 2016 witnessed the first American presidential election that was the subject of cyberattacks.

These and other subversive activities have been confirmed to have been perpetrated by entities allied with the Government of Russia and were undertaken for the express purpose of influencing the presidential contest to secure the election of its preferred candidate, Donald Trump, who made history by becoming the first presidential candidate to invite a hostile foreign power to launch cyberattacks against his political opponent.

All three agencies, CIA, FBI and NSA, agree with this judgment.

The so-called Regulatory Accountability Act (RAA), in addition to this rule, demonstrates the deceptive design of the majority to make it harder to establish regulations to protect the public by tilting the entire regulatory system significantly toward special interests.

The bill allows Federal courts without expertise on technical issues to substitute their judgment for those of the expert federal agencies.

These agencies are staffed with career subject matter experts that are deeply knowledgeable of the background, context, and history of agency actions and policy rationale.

For this reason, courts have long deferred to agency experts who are in the best position to carry out the statutes.

The RAA would end this well-established practice and allow far less experienced judges to second-guess expert opinion—essentially sanctioning judicial activism.

The Jackson Lee Amendment, however, would have attuned this dangerous legislation to provide an exception for regulation upon which Americans so greatly rely on their government to help prevent cyberattacks on our highly coveted and esteemed election processes and institutions.

The bill promoted by the majority, calling for accountability from our Administrative Agencies—fails to answer in accountability to the threat posed by foreign and domestic invaders on our national cyber networks.

As the new Congress commences in the People's House, obstructionist Republicans are circumventing the very procedures by which elected officials answer the cries of outrage and dismay of desperately concerned constituents.

To the obstructionist majority perpetuating this restrictive rule, let me stand firm in the American convictions laid bare by the Jackson Lee amendment—the system of Checks and Balances established by the Separation of Powers clause of the Constitution will not be thwarted.

The spirit of the H.R. 5 is clearly designed to stop all regulation dead in its tracks—no matter the threat to cyber networks, national security, economy, or the very health and safety of the American people.

We know that Russia's cyber activities were intended to influence the election, erode faith in U.S. democratic institutions, sow doubt about the integrity of our electoral process, and undermine confidence in the institutions of the U.S. government. These actions are unacceptable and will not be tolerated.

The mission of the Intelligence Community is to seek to reduce the uncertainty surrounding foreign activities, capabilities, or leaders' intentions.

On these issues of great importance to U.S. national security, the goal of intelligence analysis is to provide assessments to decision makers that are intellectually rigorous, objective, timely, and useful, and that adhere to tradecraft standards.

Applying these standards helps ensure that the Intelligence Community provides U.S. policymakers, warfighters, and operators with the best and most accurate insight, warning, and context, as well as potential opportunities to advance U.S. national security.

This objective is difficult to achieve when seeking to understand complex issues on which foreign actors go to extraordinary lengths to hide or obfuscate their activities.

My amendment would have improved H.R. 5 by exempting only those regulations critical to making cyber networks invulnerable to attack from foreign and domestic agencies and individuals.

Specifically, the amendment that the Rules committee disallowed for presentation on a vote here on the floor today would have provided the American people an exemption to allow for the prevention of tampering, alteration, or misappropriation of information by agents of foreign countries with the purpose or effect of interfering with or undermining election processes or institutions.

In particular, restrictions put forth in H.R. 5 could result in further delay to agencies attempting to take action to help network defenders better identify new tactics or techniques that a malicious actor might deploy or detect and disrupt an ongoing intrusion, in addition to protecting data that enables cybersecurity firms and other network defenders to identify certain malware that the Russian intelligence services use.

The Regulatory Accountability Act provides no accountability to the American public.

Instead, it allows polluting industries and special interests to game the system and escape accountability for any harm they inflict.

It makes it incredibly difficult, if not impossible, to secure new public protections and arms industry with numerous tools to avoid their legal obligations.

The increasing use of cyber-enabled means to undermine democratic processes at home and abroad, as exemplified by Russia's recent activities, has made clear that a tool explicitly targeting attempts to interfere with elections is also warranted.

We cannot afford to let global terroristic threats, in the form of cyber activities, erode faith in U.S. democratic institutions, sow doubt about the integrity of our electoral process, influence elections, or undermine confidence in the institutions of the U.S. government.

My amendment would have offered protections guarding the integrity of our cyber networks, while at the same time allowing the bill to achieve the proponents' major purposes.

The exceptional Americans we serve deserve a Congress that does its job and keeps our time-honored institutions functioning.

For these reasons and more, I oppose this rule and the underlying bill.

□ 1315

Mr. COLLINS of Georgia. Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 4½ minutes to the gentleman from California (Mr. SWALWELL).

Mr. SWALWELL of California. Mr. Speaker, I thank the gentleman for yielding.

I urge my colleagues to defeat the previous question and allow an amendment to be put forward on H.R. 356, the Protecting Our Democracy Act.

A public report was released on Friday by the FBI, the CIA, and the NSA, and it was chilling. It declared that Russia attacked our democracy in the past Presidential election. It said that the attack came from the Russian services themselves. It was ordered by Vladimir Putin and, most concerning, that Russia had a preferred candidate and that they sought to denigrate Secretary Clinton along the way.

Going forward, this is not about relitigating the past. Donald Trump will be the next President. This is about preserving the integrity of our democracy and saying that our dialogue, our democracy, these fights between our parties, they belong to us.

The report also said that Russia intends to do this again. We know that Russia has done this before across the globe to our allies. They are doing it right now to other countries as they seek to move forward in their democracies. Now other foreign adversaries of ours will look at what Russia did, if we do nothing, and see an opportunity to strike us again.

So we have an opportunity, as Republicans and Democrats, to come together and say that the victims may have been the Democratic Party in this past election and, if history has its way, in the next election it may be a different party.

The constant will always remain this: both parties will unite to say, We believe that this democracy, which has been fought and sacrificed for, is worth defending. To do that, we should have an independent, bipartisan, appointed commission to look at how this was able to occur, why our democracy was

so vulnerable, and, most importantly, make recommendations to the public to ensure that this never happens again.

We should do this so, first, we can devote ourselves fully—with an independent commission, you have full-time members and full-time staffs—to understanding what happened.

Second, we should do this to depoliticize what has occurred. The incoming President has continuously undermined the findings of our 17 intelligence agencies that Russia was responsible. We should depoliticize this by taking this out of Congress and having an independent commission, once and for all, sign off on who was responsible and, again, make recommendations to protect us going forward.

We should also declassify, to the extent possible, the evidence behind the findings.

Finally, once this commission is formed and once congressional investigations also take place, the American people have to come together. We have to come together because we can never again let an outside meddler influence our elections. So we have every single House Democrat cosponsoring this legislation.

This legislation should not be partisan at all. When you talk to Republicans and you talk to Democrats in our districts and you talk to Independents, they all express a concern about what Russia did. So what we can do in this House is say: We are united. We are united to get to the bottom of what happened.

So I invite my Republican colleagues to join us in the search for what happened. Join us in this responsibility to do everything we can to tell our constituents that, in the next election, we won't let it happen again. Defeat the previous question and support H.R. 356, the Protecting Our Democracy Act.

Mr. COLLINS of Georgia. Mr. Speaker, are there any more speakers the gentleman from Colorado has?

Mr. POLIS. Mr. Speaker, I am prepared to close if the gentleman from Georgia is.

Mr. COLLINS of Georgia. I am prepared for the gentleman to close. I reserve the balance of time.

Mr. POLIS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, so, in summary, when we defeat the previous question, we will then bring forward our bill to establish an independent report on foreign interference in this most recent 2016 election, something that the American people deserve to see, that we need to see. We need to put safeguards in place to prevent our election system from being hijacked by foreign powers.

With regard to the rule, Mr. Speaker, it is a bad, closed rule, particularly given the chance that 56 new Members of Congress have not had the opportunity to add their imprint to the bills that are before us.

The gentleman mentioned, oh, the Democrats did this 10 years ago. Well,

that is hardly an excuse that the American people buy. There were many things about the Democrats' tenure in this body the American people didn't like; and to simply cite some of those less popular elements of Democratic leadership and now say: Well, now we Republicans are going to do earmarks; now we Republicans are going to have a closed process that doesn't allow amendment; now Republicans are going to gut the ethics rule.

In over 200 years, you can always cite some precedence for that from both Democrats and Republicans, but those aren't good things. We want to learn from our mistakes, I hope, and not say, just because some Democrat or some Republican did this in 1952, it is a good thing to do today.

Mr. Speaker, we are 6 days into the next Congress. After we defeat the rule, hopefully, and defeat the previous question, we can bring forward an independent study on foreign interference.

With regard to these two bills, I urge my colleagues to join me in voting "yes" on the HALOS Act and, of course, oppose the ridiculously broad H.R. 5, Regulatory Accountability Act, which would simply add more paperwork to the bureaucracy, further reducing the efficiency of a branch of government that many Americans believe is already too inefficient.

I urge my colleagues to vote "no" on the previous question and "no" on the rule.

Mr. Speaker, I yield back the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I serve a wonderful part of the world. With all due respect to all the other Members of Congress, I do believe it is one of the fairest in the country.

As I go around and travel, one of the things I have not heard, Mr. Speaker—and I am not sure if you have or other Members sitting here—I have never been hit, when I run into something saying the fact that government is efficient, and I am really wanting it to be efficient in a sense that it is working for me.

It is a very obvious statement here, and what we see time after time after time is rules and regulations that most of the American folks are saying: Government, do what you are supposed to be doing. Get us back on a fiscal financial path that is solid, that balances, that gets us back in understanding that we can't spend more than what we make or bring in, and that we have to have a strong national defense. Let's get back to the things that make America the shining light all around the world.

One of the things I do not hear them asking me to do, Mr. Speaker, is make it easier on bureaucrats in Washington. I have not had them beg and bring petitions to my table and say: Please make it easier on bureaucrats to run our lives.

That is not what we do. What we are trying to do is simply say: Let's get up,

go out to work, do the regulations that matter. Make sure that government does what it is supposed to do. Make sure that the balance of power is honored and not looked upon with disgrace. It is looked upon as something that should be taken care of. Let the legislative body be the legislative body. Let the executive be the executive, and let the judicial be the judicial.

I have no problem putting before the American people the choice: Do you want a party that will defend a bureaucracy that stifles them? Or a party of the majority, like we are, that are putting forward regulation reform that says, We want to help you; we are concerned about you?

Obvious choice, Mr. Speaker. Today we have two opportunities to this rule. They both look at our economic engines in the country and reviving it again.

The HALOS Act helps us ensure that small businesses have access to the capital necessary to grow and succeed. Small business is the backbone of our economy, and it makes sense to enact policies that promote the viability and growth.

The Regulatory Accountability Act restores simple checks and balances so that Congress, once again, makes laws so they work better for those who elected us.

It is time we demand the voice of the American people be heard rather than letting the others up here, separated in cubicles, decide what is best. When we look at that, the obvious choice is clear. You pass this rule, you vote "yes" on these bills, and you say to the American people: I agree with the majority.

We are looking after those that get up every day and have the American Dream in front of them and get up and say: I want to be better and I want my government to be out of the way.

When we understand that, Mr. Speaker, I urge my colleagues to support this rule and the underlying bill.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 33 OFFERED BY
MR. POLIS OF COLORADO

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2

(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 356) to establish the National Commission on Foreign Interference in the 2016 Election. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and re-

port the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 356.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous

question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. COLLINS of Georgia. Mr. Speaker, I yield back the balance of my time and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on agreeing to the resolution, if ordered; and agreeing to the Speaker's approval of the Journal.

The vote was taken by electronic device, and there were—yeas 234, nays 179, not voting 21, as follows:

[Roll No. 26]

YEAS—234

Abraham	Dent	Joyce (OH)
Aderholt	DeSantis	Kaptur
Allen	DesJarlais	Katko
Amash	Diaz-Balart	Kelly (MS)
Amodei	Donovan	Kelly (PA)
Arrington	Duffy	King (IA)
Babin	Duncan (TN)	King (NY)
Bacon	Dunn	Kinzinger
Banks (IN)	Emmer	Knight
Barletta	Farenthold	Kustoff (TN)
Barr	Faso	Labrador
Barton	Ferguson	LaHood
Bergman	Fitzpatrick	LaMalfa
Beutler	Fleischmann	Lamborn
Biggs	Flores	Lance
Bilirakis	Fortenberry	Latta
Bishop (MI)	Fox	Lewis (MN)
Bishop (UT)	Franks (AZ)	LoBiondo
Black	Frelinghuysen	Long
Blackburn	Gaetz	Loudermilk
Blum	Gallagher	Love
Bost	Garrett	Lucas
Brady (TX)	Gibbs	Luetkemeyer
Brat	Gohmert	MacArthur
Bridenstine	Goodlatte	Marchant
Brooks (AL)	Gosar	Marino
Brooks (IN)	Gowdy	Marshall
Buchanan	Granger	Massie
Buck	Graves (GA)	Mast
Bucshon	Graves (LA)	McCarthy
Budd	Graves (MO)	McCaul
Burgess	Griffith	McClintock
Byrne	Grothman	McHenry
Calvert	Guthrie	McKinley
Carter (GA)	Harper	McMorris
Carter (TX)	Harris	Rodgers
Chabot	Hartzler	McSally
Chaffetz	Hensarling	Meadows
Cheney	Hice, Jody B.	Meehan
Coffman	Higgins (LA)	Messer
Cole	Hill	Mitchell
Collins (GA)	Holding	Moolenaar
Collins (NY)	Hollingsworth	Mooney (WV)
Comer	Hudson	Mullin
Comstock	Huizenga	Murphy (PA)
Conaway	Hultgren	Newhouse
Cook	Hunter	Noem
Costello (PA)	Hurd	Nunes
Cramer	Issa	Olson
Crawford	Jenkins (KS)	Palazzo
Culberson	Jenkins (WV)	Palmer
Curbelo (FL)	Johnson (LA)	Paulsen
Davidson	Johnson (OH)	Pearce
Davis, Rodney	Johnson, Sam	Perry
Denham	Jordan	Pittenger

Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell

Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott

Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

□ 1346

Messrs. McEACHIN, BROWN of Maryland, SCOTT of Virginia, SCHNEIDER, and LAWSON of Florida changed their vote from “yea” to “nay.”

Mr. HILL changed his vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Ms. WILSON of Florida. Mr. Speaker, had I been present, I would have voted “nay” on rollcall No. 26.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 233, noes 183, not voting 18, as follows:

[Roll No. 27]

AYES—233

Abraham	Diaz-Balart	Kinzinger
Aderholt	Donovan	Knight
Allen	Duffy	Kustoff (TN)
Amash	Duncan (TN)	Labrador
Amodei	Dunn	LaHood
Arrington	Emmer	LaMalfa
Babin	Farenthold	Lamborn
Bacon	Faso	Lance
Banks (IN)	Ferguson	Latta
Barletta	Fitzpatrick	Lewis (MN)
Barr	Fleischmann	LoBiondo
Barton	Flores	Long
Bergman	Fortenberry	Loudermilk
Beutler	Fox	Love
Biggs	Franks (AZ)	Lucas
Bilirakis	Frelinghuysen	Luetkemeyer
Bishop (MI)	Gaetz	MacArthur
Bishop (UT)	Gallagher	Marchant
Black	Garrett	Marino
Blackburn	Gibbs	Marshall
Blum	Gohmert	Massie
Bost	Goodlatte	Mast
Brady (TX)	Gosar	McCarthy
Brat	Gowdy	McClintock
Bridenstine	Granger	McHenry
Brooks (AL)	Graves (GA)	McKinley
Brooks (IN)	Graves (LA)	McMorris
Buchanan	Graves (MO)	Rodgers
Buck	Griffith	McSally
Bucshon	Grothman	Meadows
Budd	Guthrie	Meehan
Burgess	Harper	Messer
Byrne	Harris	Mitchell
Calvert	Hartzler	Moolenaar
Carter (GA)	Hensarling	Mooney (WV)
Carter (TX)	Hice, Jody B.	Mullin
Chabot	Higgins (LA)	Murphy (PA)
Chaffetz	Hill	Newhouse
Cheney	Holding	Noem
Coffman	Hollingsworth	Nunes
Cole	Hudson	Olson
Collins (GA)	Huizenga	Palazzo
Collins (NY)	Hultgren	Palmer
Comer	Hunter	Paulsen
Comstock	Hurd	Pearce
Conaway	Issa	Perry
Cook	Jenkins (KS)	Pittenger
Costello (PA)	Jenkins (WV)	Poe (TX)
Cramer	Johnson (LA)	Poliquin
Crawford	Johnson (OH)	Posey
Culberson	Johnson, Sam	Ratcliffe
Curbelo (FL)	Jordan	Reed
Davidson	Joyce (OH)	Reichert
Davis, Rodney	Katko	Renacci
Denham	Kelly (MS)	Rice (SC)
Dent	Kelly (PA)	Roby
DeSantis	King (IA)	Roe (TN)
DesJarlais	King (NY)	Rogers (AL)

NAYS—179

Adams
Aguilar
Barragan
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamic
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cardenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espallat
Esty
Evans
Foster
Frankel (FL)

Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson, E. B.
Keating
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowe
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano

Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ruiz
Sánchez
Sarbanes
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozi
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Yarmuth

NOT VOTING—21

Becerra
Crowley
Davis, Danny
Dingell
Duncan (SC)
Hoyer
Johnson (GA)

Jones
Kelly (IL)
Mulvaney
Perlmutter
Pompeo
Price, Tom (GA)
Richmond

Rush
Ryan (OH)
Schakowsky
Smith (TX)
Takano
Wilson (FL)
Zinke

Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus

Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner

Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—183

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Españillat
Esty
Evans
Foster
Frankel (FL)

Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson, E. B.
Kaptur
Keating
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowe y
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano

NOT VOTING—18

Becerra
Davis, Danny
Dingell
Duncan (SC)
Gutiérrez
Johnson (GA)

Jones
Kelly (IL)
McCauley
Mulvaney
Perlmutter
Pompeo
Price, Tom (GA)
Rush
Ryan (OH)
Schakowsky
Takano
Zinke

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1357

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 248, nays 162, answered “present” 3, not voting 21, as follows:

[Roll No. 28]

YEAS—248

Abraham
Aderholt
Allen
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Beatty
Bergman
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blumenauer
Blunt Rochester
Bonamici
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (MD)
Buchanan
Budd
Bustos
Butterfield
Byrne
Calvert
Carbajal
Carson (IN)
Carter (TX)
Cartwright
Chabot
Cheney
Chu, Judy
Cicilline
Cleaver
Cole
Collins (NY)
Comer
Comstock
Conyers
Cook
Cooper
Correa
Courtney
Cramer
Crawford
Cuellar
Culberson
Cummings
Davidson
Davis (CA)
DeGette
DeLauro
DelBene
Demings
Dent
DesJarlais
Deutch
Diaz-Balart

Doggett
Donovan
Duncan (TN)
Dunn
Ellison
Emmer
Engel
Eshoo
Evans
Farenthold
Faso
Ferguson
Fleischmann
Fortenberry
Foster
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallagher
Garamendi
Garrett
Gibbs
Gonzalez (TX)
Goodlatte
Gowdy
Granger
Green, Al
Grothman
Guthrie
Hanabusa
Harper
Harris
Hartzler
Heck
Hensarling
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Himes
Hollingsworth
Huffman
Huizenga
Hultgren
Hunter
Issa
Jeffries
Johnson (LA)
Johnson, E. B.
Johnson, Sam
Kaptur
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
King (IA)
King (NY)
Krishnamoorthi
Kustoff (TN)
Labrador
LaMalfa
Lamborn
Larsen (WA)
Latta
Lawrence
Lawson (FL)
Levin
Lewis (MN)

Lipinski
Lofgren
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lujan Grisham,
M.
Luján, Ben Ray
Maloney,
Carolyn B.
Marino
Marshall
Massie
Matsui
McCarthy
McCauley
McClintock
McEachin
McHenry
McMorris
Rodgers
McNerney
Meadows
Meeks
Meng
Messer
Mitchell
Mooney (WV)
Moulton
Mullin
Murphy (PA)
Nadler
Napolitano
Newhouse
Noem
Norcross
Nunes
O'Rourke
Olson
Palmer
Panetta
Pascarell
Pelosi
Pingree
Pocan
Polis
Posey
Price (NC)
Quigley
Reichert
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rooney, Francis
Rooney, Thomas
J.
Roskam
Ross
Rothfus
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Russell
Rutherford

Sanford
Scalise
Schneider
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sherman
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)

Smucker
Soto
Speier
Stefanik
Stewart
Taylor
Tenney
Thornberry
Titus
Trott
Tsongas
Vela
Wagner
Walden
Walker
Walorski
Walters, Mimi

NAYS—162

Adams
Aguilar
Amash
Barragán
Bass
Bera
Beutler
Beyer
Blum
Bost
Boyle, Brendan
F.
Brady (PA)
Brownley (CA)
Buck
Bucshon
Burgess
Capuano
Cárdenas
Carter (GA)
Castor (FL)
Castro (TX)
Chaffetz
Clark (MA)
Clarke (NY)
Clay
Clyburn
Coffman
Cohen
Collins (GA)
Conaway
Connolly
Costa
Costello (PA)
Crist
Crowley
Curbelo (FL)
Davis, Rodney
DeFazio
Delaney
Denham
DeSantis
DeSaulnier
Doyle, Michael
F.
Duffy
Españillat
Esty
Fitzpatrick
Flores
Foxo
Fudge
Gaetz
Gallego
Gosar

Gottheimer
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Gutiérrez
Hastings
Hill
Holding
Hoyer
Hudson
Hurd
Jackson Lee
Jayapal
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jordan
Joyce (OH)
Katko
Keating
Khanna
Kihuen
Kilmer
Kind
Kinzinger
Knight
Kuster (NH)
LaHood
Lance
Langevin
Larson (CT)
Lee
Lewis (GA)
Lieu, Ted
LoBiondo
Loeb sack
Lowenthal
Lowe y
Lynch
MacArthur
Maloney, Sean
Marchant
Mast
McCollum
McGovern
McKinley
McSally
Meehan
Moolenaar
Moore
Murphy (FL)
Neal
Nolan

ANSWERED “PRESENT”—3

Payne
Becerra
Davis, Danny
Dingell
Duncan (SC)
Gohmert
Grijalva
Johnson (GA)

Rice (SC)
Jones
Kelly (IL)
Mulvaney
Perlmutter
Pompeo
Price, Tom (GA)
Rosen

NOT VOTING—21

Rush
Ryan (OH)
Sánchez
Schakowsky
Sinema
Takano
Zinke

□ 1405

So the Journal was approved.

The result of the vote was announced as above recorded.